IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4280 OF 2004

Shri Babulal Azimuddin Shaikh ..Petitioner/Applicant.

V/s.

The State of Maharashtra .. Respondent.

Mrs. Ravati P.Mohite-Dere for Applicant.
Shri V.B. Konde-Deshmukh, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 27.10.2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

2. The allegation against the applicant is that he had assaulted the deceased only by kick blows given in his stomach. The fact that the deceased succumbed to death due to the injury caused as he fell down, cannot be ruled out. Considering the materials on record, the applicant deserves to be enlarged on bail on certain conditions as under :-

i. The Applicant be released on bail in connection with C.R.No.18/2004, registered

with Khadki Police Station, on executing personal bond in the sum of Rs. 20,000/- (Rs. Twenty thousand only) with two local sureties in the like amount.

ii. The applicant shall not enter the jurisdiction of Khadki Police Station during the pendency of the trial except for attending trial.

iii. The Applicant shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that the applicant is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

iv. The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

3. Order accordingly.

.....